

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

ARTHUR O. ARMSTRONG,)	
)	
Plaintiff,)	
)	1:23-cv-364
v.)	
)	
NORTH CAROLINA, and)	
JOHN THOMPSON,)	
)	
Defendants.)	

ORDER

This matter is before this court for review of the Text Recommendation ("Recommendation") filed on May 8, 2023, by the Magistrate Judge in accordance with 28 U.S.C. § 636(b). (See Doc. Ent. 5/08/2023.) In the Recommendation, the Magistrate Judge recommends that the Complaint be dismissed. (See Doc. Ent. 5/08/2023.)

Following entry of the Text Recommendation, Plaintiff filed a plethora of motions for summary judgment (Docs. 4-53, 55, 56, 57), a motion to amend the complaint, (Doc. 3), and a motion for leave to file a complaint, (Doc. 58). Plaintiff also filed a petition in opposition to the Recommendation, (Doc. 54), which this court construes as an objection to the Recommendation and a motion requesting leave to amend.

This court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the [M]agistrate

[J]udge or recommit the matter to the [M]agistrate [J]udge with instructions.” 28 U.S.C. § 636(b)(1).

This court has appropriately reviewed the Recommendation and finds the Magistrate Judge’s Recommendation should be and is hereby adopted. This court has also reviewed Plaintiff’s motions to amend, (Docs. 3, 54, 58), and finds the motions should be denied due to their conclusory nature and because they are otherwise defective for the same basic reasons stated in the Recommendation filed in Armstrong v. North Carolina, No. 1:23-cv-297, Docket Entry 3, (M.D.N.C. Apr. 21, 2023).¹ Furthermore, Plaintiff’s other motions, (Docs. 4-53, 55, 56, 57), shall be stricken because they are procedurally improper. Plaintiff is hereby cautioned against making similar improper filings in any other cases. Failure to heed this warning may result in the imposition of monetary and non-monetary sanctions.

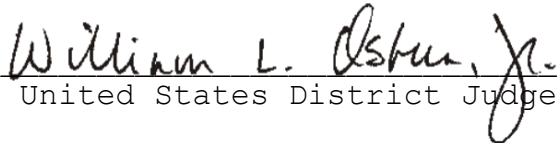
IT IS THEREFORE ORDERED that the Magistrate Judge’s Text Recommendation, (see Doc. Ent. 5/8/2023), is **ADOPTED. IT IS FURTHER ORDERED** that this action is **DISMISSED**, that Plaintiff’s Motions for Leave to File Complaint, (Docs. 3, 54, 58), are

¹ The proposed amended complaints, (Docs. 54-1, 58-1), are procedurally improper as they seek to raise new claims with no apparent relevance or relationship to the original complaint which alleges events occurring in 1999. Furthermore, the proposed amended complaints allege events occurring in 2022 although they are dated August 4, 2020, (see Doc. 54-1 at 1, 2-3; Doc. 58-1 at 1, 2-3).

DENIED, and that Plaintiff's other Motions, (Docs. 4-53, 55, 56, 57), are **STRICKEN**.

A judgment dismissing this action will be entered contemporaneously with this Order.

This the 19th day of July, 2023.


United States District Judge